

***United States Court of Appeals  
for the Second Circuit***



**APPELLANT'S  
BRIEF**



77-1249

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

77-1249, 1252, 1253

----- -x  
UNITED STATES OF AMERICA, :  
Appellee, :  
-v- :  
BARTHOLOMEW BUIGUES, :  
Defendant-Appellant. :  
----- -x

ON APPEAL FROM THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

-----  
Brief For Defendant-Appellant

BARTHOLOMEW BUIGUES  
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BRIEF FOR DEFENDANT-APPELLANT

BARTHOLOMEW BUIGUES

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### PRELIMINARY STATEMENT

The appellant, Bartholomew Buigues, appeals from a judgment of the United States District Court, Southern District of New York, before Hon. Milton Pollack, U.S.D.J., and a jury, of the crime of conspiracy to violate Title 18, U.S.C., Section 287, and three substantive violations (filing false, fictitious or fraudulent claims.) The appellant was sentenced on January 18, 1977, to a fine of \$4,500. and three months in detention. The fine has not been paid pending determination of this appeal. The undersigned was trial counsel whose withdrawal was not authorized by order of this Court dated August 11, 1977.

### STATEMENT OF FACTS

The defendant-appellant Bartholomew Buigues was tried with four other co-defendants (now co-appellants) in the trial before Hon. Milton Pollack which began November 29, 1976, and ended on December 6, 1976.

The defendant-appellant was a director of and the chief operating officer of a New York not for profit corporation called Youth In Government, Inc. Youth In Government in the summer of 1975 participated as an approved sponsor in the "Special Food Service Program for Children" administered by and funded through the United States Department of Commerce.

The trial of this indictment commenced November 30,

1976 and December 6, 1977. The transcript of the proceedings covers twelve hundred sixty-two pages. The record has been reviewed by counsel most closely.

#### ARGUMENT

Based upon the review of the trial transcript herein, it is, respectfully represented that there exists no points upon appeal worthy of perfection for argument before this Court on behalf of the defendant-appellant. Anders v. California 386 U.S. 744.

#### CONCLUSION

The appeal should be affirmed.

Respectfully submitted,

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